Docket No. 244080US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Chiaki TANAKA, et al.

SERIAL NUMBER: 10/706,113

ATTN: APPLICATION BRANCH

FILING DATE:

November 13, 2003

FOR:

TONER, METHOD OF PRODUCING THE TONER, DEVELOPER INCLUDING THE TONER,

AND IMAGE FORMING METHOD AND APPARATUS USING THE DEVELOPER

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated February 10, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Norman F. Oblon

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Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

私の住所、郵便の宛先、国籍は下配の私の氏名の後に記 載された通りです。

下記の名称の発明に関して請求範囲に記載され、特許出 順している発明内容について、私が最初かつ唯一の発明 者(下記の氏名が一つの場合)もしくは最初かつ共同発 明省(下記の名称が複数の場合)であると信じています。

上記発明の明細費は、	the specification
□ 本書に孫付されています。	☐ Is attache
月日に提出され、米国出願番号または特	🛛 was filed o
許協定条約国際出願番号を	as United Internation
とL、	
(該当する場合) に訂正されました。	,

以は、特許請求範囲を含む上配訂正後の明細書を検討し、 内容を理解していることをここに表明します。

私は、連邦規則法典第97編第1条58項に定義されるとおり、 特許資格の有無について重要な情報を開示する義務がある ことを認めます。 As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plurel names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

TONER, METHOD OF PRODUCING THE TONER, DEVELOPER INCLUDING THE TONER, AND IMAGE FORMING METHOD AND APPARATUS USING THE DEVELOPER

the	specification of	which			
	s attached hereto. Was filed on November 13, 2003				
K	as United States Application Number or PCT				
	10/70	06,113	_and was amended on		
			_(if applicable)		

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Japanese Language Declaration

(日本語宣言書)

I hereby claim foreign priority under Title 35, United States

Code, §119 (a)-(d) or 365(b) of any foreign application(s) for

patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one

country other than the United States, listed below and have

also identified below, by checking the box, any foreign

application for patent or inventor's certificate, or PCT

International application having a filing date before that of

(现况: 特許許可濟、係属中、放棄濟)

the application on which priority is claimed.

私は、米国法典第35編119条(a) - (d)項又は365条 (b) 項に基づき下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出顧の前に出願された特許または発明者証の外国出願を以下に、 体内をマークすることで、示しています。

(出願番号)

Priority Claimed Prior Foreign Application(s) 優先檢主張 外国での先行出願 2002-331217 14/November/2002 \boxtimes Japan (Day/Month/Year Filed) Yes No (Number) (Country) いいえ はい (番号) (国名) (出願年月日) (Number) (Country) (Day/Month/Year Filed) **3eY** No (出願年月日) はい いいえ (番号) (国名) I hereby claim the benefit under Title 35, United States 私は、第36編米国法典119条(e)項に基づいて下記の米国 Code, §119(e) of any United States provisional **物許出願規定に記載された権利をここに主張いたします。** application(s) listed below. (Application No.) (Filing Date) (Application No.) (Filing Date) (出願日) (出願番号) (日頭田) (出願番号) I hereby claim the benefit under Title 35, United States 私は、下記の米国法典第35編120条に基づいて下記の米国 Code, §120 of any United States application(s), or §365(c) 特許出願に記載された権利、又は米国を指定している特許協 of any PCT International application designating the United 力条約365条 (c) に基づく権利をここに主張します。また、 States, listed below and, insofar as the subject matter of 本出願の各開水範囲の内容が米国法典第35編112条第1項 each of the claims of this application is not disclosed in the 又は特許協力条約で規定された方法で先行する米国特許出願 prior United States or PCT International application in the に開示されていない限り、その先行米国出願會提出日以降で manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose 本出願書の日本国内または特許協力条約国際提出日までの期 information which is material to patentability as defined in **間中に入手された、連邦規則法典第37編1条56項で定義さ** Title 37, Code of Federal Regulations, §1.56 which became れた特許資格の有無に関する重要な情報について開示義務が available between the filing date of the prior application and あることを認識しています。 the national or PCT international filing date of this application. (Application No.) (Filing Date) (Status: Patented, Pending, Abandoned) (出顧番号) (出願日) (現況:特許許可済、係属中、放棄済) (Filing Date) (Application No.) (Status: Patented, Pending, Abandoned)

(出願日)

Japanese Language Declaration

(日本語宣言書)

私は、私自身の知識に基づいて本宣言書中で私が行なう袋明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の衰明及びそれと同等の行為は米国法典第18銅第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出頭した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may Jeopardize the validity of the application or any patent Issued thereon.

委任状:私は下配の発明者として、本出願に関する一切の手続きを米特許面標局に対して遂行する弁理士または代理人として、下配の者を指名いたします。

(弁酸士、または代理人の指名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named Inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)

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22850

查類送付先

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Japanese Language Declaration (日本語宣言書)

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第 3の共同発明者の氏名		Full name of third joint inventor, if any Takeshi TAKADA
第 3の共同発明者の署名	百付	Third Inventor's signature Date
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